

**MINUTES OF
CITY OF DUVALL
COUNCIL MEETING
7-11-02
7:00 PM**

WORKSHOP - 6:00 PM: Update on Zoning Code Issues

The City Council Meeting was called to order by Mayor Nixon at 7:08 PM.

Council Present: Jeane Baldwin, Mark Cole, Pat Fullmer, Will Ibershof, Tom Loutsis, Mayor Nixon

Staff Present: Doreen Wise, Chief Merryman, Bruce Disend, Dianne Nelson, Steve Leniszewski, Jodee Schwinn, Connie Zimmerman

ADDITIONS OR CORRECTIONS TO THE AGENDA:

Under Consent Agenda remove: Approval of Payroll and Claims.

Under New Business:

Remove: Change Order with Briere Construction for Youth Center

Add to Executive Session: 2 Minutes for Litigation

3 Minutes for Contract Negotiations

COMMENTS FROM THE AUDIENCE:

Tove Burhen, President of the Duvall Historical Society, announced there will be a grand-opening for the Dougherty House on August 18, 2002. She said everyone is invited and there will be a ceremony followed by tours.

APPROVAL OF CONSENT AGENDA:

Was moved and seconded (Fullmer-Loutsis) to approve the consent agenda which included the Council Meeting Minutes of 6/27/02. Carried. (5 ayes).

SCHEDULED ITEMS:

MAYOR:

Mayor Nixon shared a letter of appreciation that was sent to Doreen Wise, City Hall Administrator/Planning Director, for doing an outstanding job on a planning short course she taught for the City of Buckley.

STAFF:

Dianne Nelson, Finance Director, updated the City Council on changes in the Utility Billing Department. New “touch-to-read” software has been purchased for meter reading, which will improve efficiency and decrease reading errors. She also reported the budget process has officially started. Worksheets have been distributed to all of the department heads.

Glenn Merryman, Chief of Police, reported he attended a Big Rock Ridge Homeowners Association meeting. He said there were many questions on general city activities. He encouraged the citizens to attend the various city meetings and become involved.

Steven Leniszewski, Engineer/Inspector, reported that the Bruett Road Improvement Project is moving along smoothly. It is still scheduled to reopen around the end of August.

PUBLIC HEARING: Public Hearing on Proposed Adoption of Water and Sewer Recovery Contracts for the Safeway Project.

7:25 pm.: Mayor Nixon called the Public Hearing to order on the proposed approval of water and sewer recovery contracts for the Safeway Project.

Bruce Disend, City Attorney, described the statutory procedure under Chapter 35.91 of the Revised Code of Washington providing for reimbursement to the developer for construction and installation costs by subsequent users of the system and the public hearing process.

Steven Leniszewski, Engineer/Inspector, explained that Safeway, Inc. has requested the City of Duvall enter into an agreement pursuant to RCW 35.91.020 to provide for reimbursement of certain water and sewer utility improvements. Steve reviewed Safeway’s request for the record. He also explained that numerous costs had already been taken out of the calculation at the City’s request.

Public Comment:

Bill Loesleban, 14244 Carnation-Duvall Road NE, submitted his written comments for the record. He does not feel it is acceptable that property owners are being asked to pay for 90% of the sewer costs. He does not feel property owners should pay for a service (sewer) the City cannot currently furnish. He asked if the other lots for sale on the Safeway property are included in the recovery contract plan. He also believes that allocation of the recovery plan should be by usage rather than by footage.

Ruth Rosenbach, 26474 NE 143 Place, submitted a letter from her attorney, David B. Johnston, asking for the supporting documentation Safeway submitted to support its request for construction cost recovery of the water and sewer line. He would also like to know why the second Safeway parcel #242606-9065 was not allocated a portion of the water and sewer line costs.

Derek Sinclair, Dale Alan Land Development Company, on behalf of NJ Land Development Company, submitted for the record a letter regarding the Safeway proposal for a Latecomer's Agreement. They believe the proposal is disproportionate and unacceptable. He also disputed the construction costs, 'soft' costs and calculation methodology. He urged Council to deny the request until a credible analysis is completed by a third party.

Bob Schader, 14211 Carnation-Duvall Road NE, said he is concerned with public notice and the amount of detail that they received regarding the recovery contracts just before the past weekend. He feels they were not afforded sufficient time to respond to the matter.

Marise Schader, 14211 Carnation-Duvall Road NE, feels they are being unfairly assessed. She said the utilities do not even run past the whole frontage on a portion of their property. She also stated a lot of the utility work needed to be re-done during construction.

Jodee Schwinn, City Clerk, submitted for the record a letter from Marise Schader of Box Hill Farm, and a letter from Mickey Gendler, Law Offices of Michael W. Gendler, representing the owners of Box Hill Farm.

Steven Leniszewski, Engineer/Inspector, requested the public hearing be continued to August 22, 2002.

Councilmember Tom Loutsis moved to continue the Public Hearing and keep the record open until August 22, 2002. The motion was seconded by Councilmember Jeane Baldwin. Motion Carried. (5 ayes).

NEW BUSINESS:

1. (AB02-44) Resolution approving Sewer Recovery Contract for Safeway, Inc.

Was moved and seconded (Baldwin-Loutsis) to table this item. Motion Carried. (5 ayes).

2. (AB02-45) Resolution approving Water Recovery Contract for Safeway, Inc.

Was moved and seconded (Baldwin-Fullmer) to table this item. Motion Carried. (5 ayes).

3. (AB02-46) Authorize the Mayor to Sign Consultant Contract with RH2 for Water Comprehensive Plan.

Was moved and seconded (Baldwin-Fullmer) to Authorize the Mayor to sign consultant contract with RH2 for the Water Comprehensive Plan. Motion Carried. (5 ayes).

4. (AB02-47) Personnel Agreement between the City of Duvall and Steve Schuller, Public Works Director.

Was moved and seconded (Loutsis-Fullmer) to Authorize the Mayor to Sign Personnel Agreement between the City of Duvall and Steve Schuller, Public Works Director. Motion Carried. (5 ayes).

5. Change Order with Zeigler Construction for the Dougherty House.

Was moved and seconded (Fullmer-Baldwin) to Authorize the Mayor to Sign the Change Order with Zeigler Construction for the Dougherty House. Motion Carried. (5 ayes).

EXECUTIVE SESSION:

12 MINUTES - LITIGATION

3 MINUTES - CONTRACT NEGOTIATIONS

8:10 p.m.: The Council Chambers were cleared for a 12-minute Executive Session on Litigation and 3-minute Executive Session on Contract Negotiations.

8:25 p.m.: The Regular Council Meeting was called back to order.

ADJOURNMENT:

Was moved and seconded (Baldwin-Loutsis) to Adjourn.

Meeting Adjourned: 8:26 PM.

Signed _____
Mayor Becky Nixon

Attest _____
Jodee Schwinn, City Clerk